

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:07-cr-0106-JMS-TAB
)	
LARRY WILLIAMS,)	
)	
Defendant.)	

- 03

REPORT AND RECOMMENDATION

On October 30, November 20, and December 17, 2019, the Court held hearings on the Petitions for Warrant or Summons for Offender Under Supervision filed on November 8, 2017 and November 5, 2019. Defendant Williams appeared in person with his appointed counsel Joseph Cleary. The government appeared by Abhishek Kambli, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Troy Adamson.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Williams of his rights and provided him with a copy of the petition. Defendant Williams orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Williams admitted violation number 1.
[Docket No. 444.]
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- 1 **“The defendant shall not commit another federal, state, or local crime.”**

On November 5, 2017, Mr. Williams was arrested by the Indianapolis Metropolitan Police Department, and charged with possession of a narcotic drug, possession of methamphetamine, resisting law enforcement, felon in possession of a handgun, and possession of paraphernalia in Marion County (49G21-1711-MC-042900). The resisting law enforcement charge is a class A misdemeanor, and the other charges are level 6 felonies.

On July 16, 2019, the offender pleaded guilty and was sentenced in Marion County case number 49G20-1711-F2-043145 to dealing in cocaine, carrying a handgun without a license, and resisting law enforcement. He was sentenced to 15 years imprisonment, 9 years executed with 5 years at IDOC and 4 years Marion County Community Corrections, and 1 year probation.

4. The parties stipulated that:
- (a) The highest grade of violation is a Grade A violation.
 - (b) Defendant’s criminal history category is VI.
 - (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 51 to 60 months’ imprisonment.

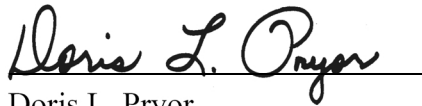
5. The government recommended a sentence of sixty (60) months to be served consecutive to any state case sentence with no supervised release to follow. Defendant argues for a sentence less than the maximum.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of twenty-four (24) months with no supervised release to follow. This sentence is to be served consecutive to any state case the defendant is

currently serving time for. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Date: 12/30/2019


Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email generated by the court's ECF system